

Quid Novi

by Greg Moore

Vol. XI, No.24

McGILL UNIVERSITY FACULTY OF LAW
UNIVERSITE MCGILL FACULTE DE DROIT

April Fools, 1991
Le poisson d'avril 1991

This is the End (1)

by Julie Godin, Nat. IV

«If you want to know the truth, I don't know what I think about it. I'm sorry I told so many people about it. About all I know is, I sort of miss everybody I told about.»

(Concluding paragraph of J.D. Salinger, *The Catcher in the Rye*)

These are the final days of my last term at the Faculty of Law and what emotions do I experience? Relief, joy, excitement? In a few weeks, I'll be leaving behind four years of frustration, anxiety and boredom punctuated by the occasional rewarding nanosecond - will I dance down Peel street singing «O Joy Unbounded, with Wealth surrounded, the knell is sounded

of grief and woe»?

Criminologists tell us that when prisoners approach the end of a lengthy sentence, they experience a great deal of stress. Sure, they are glad to regain their freedom, but they also face fears and insecurities - they must now try to function «out» in the world, they must fulfill society's expectations and make it on their own. Charles Manson, who grew up in correctional institutions, faced release shortly before he decided to carry out the Tate-La Bianca murders. He pleaded with the parole board not to be released, and argued that he simply could not function on the outside. «Don't be ridiculous!», replied his parole officer, «I know you'll be a contributing member of

society». The rest, as they say, is history.

Is it farfetched for me to draw a parallel between the apprehensive psychopath and the graduating law student? There is no doubt that many of us are experiencing fear, not so much fear of the so-called «real world», but of the absence of school. School truly has been the constant excuse for not being fulfilled, for not doing what we imagine we really should be doing. After all, while we are in school, we don't have to take full responsibility for what we do: most of the important decisions are made by others. From now on, we'll only have ourselves to blame, and sooner or later, we'll have to wonder whether we're living up to the

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The X Generation

by James Hughes, BCL III

Those who came before us were the «baby boomers». Those who are soon to take our place have been called the «baby boomlet». Our generation is sandwiched between these two population masses and has repelled all attempts at labels. The most marketable term the demographers have come up with for our era is the «X» generation. «X» for unknown, uncertain and unpredictable. The socio-psychologists say that we have no general, stereotypic feature other than the need and desire to change the

standards and expectations of our predecessor generation.

This latter observation I strongly support. I believe our values are different than those which peaked and exploded with Michael Milken and Robert Campeau. I feel we've collectively turned to a better and more meaningful set of beliefs. We've turned away from ourselves and towards those in need.

The best illustration I can offer for this assertion is what happened this year in

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McGILL UNIVERSITY

APR 2 1991

LAW LIBRARY

ANNOUNCEMENTS ANNONCES

DROIT CONSTITUTIONNEL - Le professeur de Mestral recherche quatre étudiants intéressés à diriger des séminaires en droit constitutionnel (03) au premier trimestre, et quatre au deuxième trimestre - de préférence des étudiants en 3e et 4e années. Une même personne ne peut se présenter pour les deux trimestres. Prière de s'adresser au professeur de Mestral en déposant un court CV au SAO. Pour plus de renseignements, téléphoner au 398-6643.

McGILL LEGAL INFORMATION CLINIC - Summer volunteers are needed! The McGill Legal Information Clinic would like to have some law students helping out for a few hours a week during the summer to provide legal information to clients. 1st-year students are welcome to apply and will be provided training. If interested, contact Lucie Poirier (344-4764). The Clinic is also looking for a translator/researcher for the summer. The job requires that the person be able to translate materials from English to French, and from French to English. The job starts on May 6th 1991, and runs for a minimum of five weeks, with an additional period of employment possible. If interested, please contact Gordon Campbell at 939-5996 or leave a note at the Clinic. Finally, the Directors of the Clinic would like to extend to all its volunteers a sincere thanks for the work you have done this past year 1990-91. This has without a doubt been the Clinic's best year and without your dedication that would not have been possible. The Clinic's LAST day of operation is April 5th. Best of luck with your upcoming exams.

LEGAL THEORY WORKSHOP - Prof. Susan Rose-Ackerman (Yale) will give a talk on Friday, April 5th, at 12h00 in room 202 on the topic of: «Judicial Review and Legislative Accountability».

CONFERENCE ON ETHICS - On April 8th, at 18h00 in the Moot Court Room, Prof. Tristram Engelhardt, jr., will give a lecture as part of the Astra Lectures in Ethics series on the topic of: «Recapturing the Distinction Between Ordinary and Extraordinary Care: Towards Defining a Concept of Basic Health Care».

TRIAL BY JURY - The following letter was received by Mr. Bram Freedman, President of the LSA:

«On behalf of all Law Library staff, I have the great pleasure of writing to thank the students of the Faculty of Law for your generosity in donating the proceeds from the performance of Trial by Jury. We were all touched by your thoughtfulness and support.

As you know only too well, there are many uses to which the gift might be put. It has been suggested

that the money could be used for the New Law Library building. Other, more immediate measures could be taken such as the purchase of new chairs (each appropriately labelled), or a microcomputer for students searching (if we can find one at that price). Any comments or suggestions you might have would be much appreciated.

A final word, if I may, about the performance. Several Library staff members attended one or other of the performances. I was fortunate to attend both. The reaction, without exception, was one of enthusiasm. We were all very impressed at the spirit and talent demonstrated and look forward to future efforts.

Please let all those involved know of our appreciation. Your continuing support means a great deal to us all. Thank you.»

(signed): Patricia Young
Law Librarian

PRIZES AND SCHOLARSHIPS COMMITTEE - Every year in early May the Prizes and Scholarship Committee meets to determine the eligibility of students for the Faculty's many awards and to decide upon recommendations as to the recipients of awards to Faculty Council. Generally, the Committee relies on computer printouts of marks in the courses that are relevant for a particular award. This method is not entirely satisfactory for several reasons: (1) some awards require that the recipient, in addition to performing well in a group of courses, exhibit some desirable character trait such as participating in extra-curricular activities, showing an interest in public advocacy, etc...; (2) some awards are intended to reward important non-academic achievements; (3) students who have written term essays on the subject matter designated by an award would not show up on the computer printout of the relevant courses; (4) there are several awards for students who have shown improvement or progress in their law studies; and (5) there is an award for anglophone or allophone students showing proficiency in French. Therefore, to help the Committee in the selection process, would all interested students please complete the form (available at the SAO) and return it to the Student Affairs Office by the end of the examination period.

SUMMER JOBS FOR THE MCGILL LAW JOURNAL CITE GUIDE - The third edition of the Canadian Guide to Uniform Legal Citation (Cite guide) is scheduled for publication in the fall of 1992. In preparation, the McGill Law Journal is completing research on the cite guide over the course of the next eight months. Two full-time research positions will be available this summer (May-August 1991):

Position I: Researcher.
Start Date: 13 May 1990 (flexible)

Salary: \$8-9/hour, 37 1/2 hours per week

This person will be primarily responsible for:

1. Corresponding with legal writing programs, journals, reporters, courts and others to encourage their official adoption and use of the Guide.
2. Conducting research for an expanded guide, including the following: (i) updating Revised Statutes of Canada; (ii) including decisions of Government Tribunals, i.e. Competition Tribunal, Energy Board...; (iii) developing computer databank materials, microfiche, microfilm; (iv) expanding government documents; (v) updating provincial and federal regulations; (vi) conducting Commonwealth and Francophonie citations; (vii) general reorganization and fine tuning of the guide.

Position II: Researcher
Start Date: 13 May 1990 (flexible)
Salary: \$8-9/hour, 37 1/2 hours per week

Tasks for this employee will include research, particularly into the following areas of international citation: (i) United Nations documentation - completing work done last summer; (ii) other international organizations such as the E.C., the O.E.C.D. and the O.A.S.; (iii) international tribunals such as G.A.T.T. and other multilateral and bilateral tribunals; (iv) less developed countries in both common law jurisdictions and civil law jurisdictions; (v) non-governmental organisations, including Amnesty International and Greenpeace; (vi) non-North American Reporters and Periodicals.

Qualifications for both positions include: (i) strong research skills; (ii) knowledge of legal research and citation; (iii) proficiency in French and English, both written and oral; (iv) computer literacy. Preference will be given to candidates with an interest in working on the McGill Law Journal in subsequent academic years.

Letters of interest and curriculum vitae should be forwarded to Julia Hanigsberg, Editor-in-Chief of the McGill Law Journal, by 5 p.m. on Thursday, March 28th. They can be submitted directly to the Law Journal Office or handed in at SAO. Interviews will take place within a week of this date. If you have any questions concerning these two positions, please contact Lisa Yarnoshuk or Julia Hanigsberg at 398-7397.

RESEARCH ASSISTANT POSITION AVAILABLE - Prof. Jane Glenn would like to engage one (1) research assistant this summer for a four-month period (approx. 1 May to 1 Sept.) to assist with a CIDA-funded research project.

The project is an on-going one undertaken in conjunction with the School of Urban Planning. It involves an examination of the interrelationship of land tenure issues (a notion encompassing a wide number of variables such as type of landholding (public, private or communal), informal

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Si la recherche vous intéresse...

par Véronique Bélanger, Nat. IV

Si vous aimez faire de la recherche et que vous serez en troisième ou quatrième année l'an prochain, ce qui suit pourrait vous intéresser.

Il existe en effet à la faculté un programme qui vous permet de travailler à titre de recherchiste pour un juge de la Cour supérieure en échange de crédits. Si vous êtes prêts à vous engager pour deux sessions, à raison de 8 à 10 heures par semaine, vous pouvez vous inscrire et obtenir 6 crédits. En gros, le travail consiste à effectuer pour un ou plusieurs juges de la Cour supérieure divers travaux de recherche portant sur tous les domaines du droit.

J'ai participé à ce programme cette année et je ne peux que vous encourager à en faire de même. Dès septembre, j'ai été assignée à 2 juges, un homme et une femme. J'ai travaillé, par choix et non par nécessité, presque uniquement en droit administratif. On m'a demandé d'effectuer des recherches ponctuelles sur des points de droit précis, de rédiger des projets de jugement, de lire et de résumer des actes de procédure et d'assister à l'audition de certaines causes. Ce programme vous offre une occasion privilégiée de vous familiariser avec les rouages de l'appareil judiciaire.

Pour de plus amples renseignements quant à la façon de s'inscrire à ce cours, veuillez contacter M. Boodman, vice-doyen aux affaires académiques.

Skit Nite: A Financial Success

by Viresh Fernando and Seth Dalfen

As this is the last issue of the Quid Novi for this academic year, the members of the Skit Nite Committee decided to release the following preliminary financial statement for Skit Nite, as they felt it is important that students are made aware on a timely basis of the results of their generous support of that evening.

The revenue figures are final as we are definite about the monies we collected. On the other hand, costs figures are «preliminary» in the sense that the student centre takes over a month to finalize all our costs for such things as beer, stage rental, etc... We are, however, certain that our final total costs will not exceed the estimated figure noted below.

Finally, we wish to assure students that notwithstanding rumours to the contrary, the entire profits of Skit Nite have always been and will continue to be equally divided between the two charities - Chez Doris and the Old Brewery Mission.

McGill Skit Nite Committee: Preliminary Financial Statement

Revenues:

Program Advertising	\$10 910
Admission	4 260
Beer and Soft Drinks	1 597
T-Shirts	1 030
Coffee House & Win Lose & Draw	438

Donation
50

\$18 285

Expenses:

Sound and Lighting	\$2 625
Beer and Soft Drinks	1 007
Printing of Programs	801
T-Shirts	643
Stage and Chair Rental	425
Props and Production	303
Fund Raising and Publicity	159

\$5 963

Total Projected Donation to Charity:
\$12 322

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development (squattng), land registration systems, land use control mechanisms, financing, inheritance, etc.) and low income housing in developing countries, with particular emphasis on Commonwealth Caribbean countries.

The duties of the research assistant will be to complete a bibliographic study and then to prepare a series of background papers on discrete subjects. The student must be able to work independently, have proven research ability in both law and non-law materials, be able to read French-language materials and to write English well, and be familiar with WordPerfect 5.0 or 5.1 on an IBM-compatible personal computer. The position is open to students in any year. The salary offered will be competitive with Faculty norms for research assistants.

Students interested in this position may apply by leaving a curriculum vitae and covering letter with Prof. Jane Glenn before Thursday, April 5th 1991. A decision is expected to be made by Wednesday, April 10th.

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Greg Moore

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Greg Moore
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The Future

by Frank Tamburro, Nat. IV

As graduation draws near for some of us, we must be thinking occasionally of the kind of work we will be doing in the future... Even in the distant future...

In the Court of Sessions of the Peace, Alpha Centauri District.

JUDGE: Call the next case.

CLERK: The Galaxy versus Matthew Jupiter Zoltan.

JUDGE: What's the charge?

CLERK: Speeding, your Honour. The defendant was measured travelling at over three-quarters of light-speed within a planetary system in a zone clearly marked as a one-half light-speed zone.

ZOLTAN: Gimme a break, the sign was hidden behind an asteroid...

JUDGE: That's enough Mr. Zoltan, I'll hear from you later. Counsel, how does your client plead?

DEFENCE: Not guilty, your Honour. Your Honour, I move for an immediate dismissal of the charge.

JUDGE: On what basis?

DEFENCE: I've located an old precedent - from 2182, in the Betelgeuse Supreme Court - Rebcon versus People of Pluto, that clearly points to acquittal when the vessel has passed near a solar

magnetic field, making speedometer readings highly inaccurate.

JUDGE: I'll take that under advisement, counsel. Is the officer here?

PROSECUTOR: Uh, no, your Honour.

JUDGE: No!? Why not!?

PROSECUTOR: The Law-Enforcement Unit that issued the summons, XJN8097, has been called in for servicing. Division command wanted the dilithium crystal convertor for the

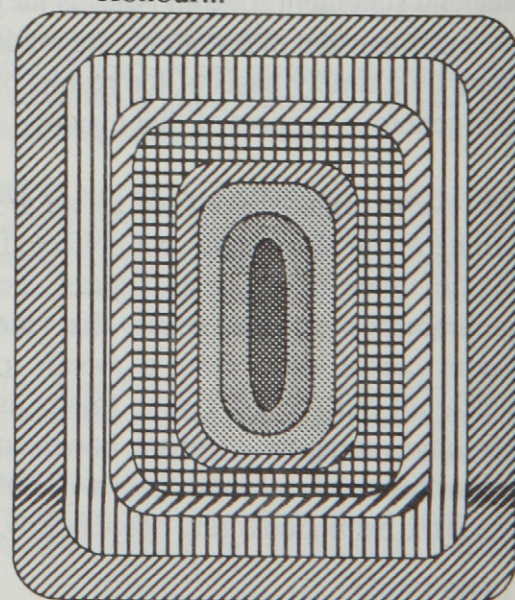
hyperdrive engine overhauled while it was still under warranty. I would like to request a postponement.

JUDGE: I don't know, counsel. Mr. Zoltan has already spent three days on the inter-stellar shuttle. If I make him come back here again for another appearance and a trial - well, for one thing, the per parsec mileage costs will be astronomical. I don't know if I want to waste anymore of his time or the Galaxy's money. No, no, counsel, case dismissed.

PROSECUTOR: But...

JUDGE: I said dismissed. Call the next case.

CLERK: The Galaxy versus James Tiberius Kirk. Public drunkenness, your Honour...



Quelques batailles contre l'Université

par Anne-Marie Migneault et Cameron Young

Directeurs associés de la Clinique d'information juridique de McGill

Cette année, la Clinique d'information juridique de McGill s'est occupée de quelques affaires intéressantes qui affectent plusieurs étudiants de McGill et qui remettent en question certaines politiques de l'Université.

Les résidences Solin Hall:

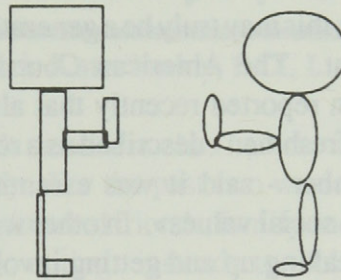
Jon Quaglia et Anne-Marie Migneault travaillent présentement sur une affaire où 184 étudiants résidant au Solin Hall demandent la résiliation de leur bail avec l'Université. Cette affaire sera bientôt entendue à la Régie du logement.

Presque toutes les institutions d'éducation au Québec, y compris McGill, offrent des baux d'au plus 8 mois (septembre à avril), afin de se synchroniser avec les trimestres scolaires réguliers et de libérer les chambres pour les louer à des étudiants d'été ou à des touristes. Le Code civil accorde un statut spécial aux résidences d'étudiants en permettant aux institutions d'enseignement de louer exclusivement à des étudiants et en interdisant aux étudiants de sous-louer leurs chambres.

L'Université a fait construire dans St-Henri une nouvelle résidence pour étudiants (Solin Hall) qui a ouvert ses portes en septembre 1990. Ayant des problèmes de financement, McGill a choisi de déroger à la pratique générale du bail de 8 mois en imposant un bail d'un an aux 234 étudiants qui y logent, tout en leur laissant croire qu'ils pouvaient facilement sous-louer leur chambre. Plusieurs étudiants demandèrent par la suite à l'Université de réduire le bail à 8

mois parce que la sous-location de leur chambre pourrait s'avérer illégale et pour d'autres raisons que la brièveté de cet article ne nous permet pas d'exposer.

Les négociations avec McGill ayant échouées, 184 étudiants ont ensemble déposé une demande de résiliation de leur bail à la Régie. La décision de la Régie, si elle est favorable aux étudiants, aura d'importantes répercussions dans le futur car elle encouragera fortement l'Université à ne pas continuer cette pratique, et découragera son introduction dans les autres institutions d'enseignement de la province.



Computer Case:

In other clinic activities geared against the University, the Student Advocacy Program has figured prominently this year. For those who are unfamiliar with it, the Program consists of providing an adviser (an upper year law student) from our office to any student in the University who is accused of a disciplinary offence under the Code of Student Conduct and Disciplinary Procedures, or who would like to launch a grievance against a member of the University community. This serves the dual purpose of ensuring that students accused of committing academic and other offences are treated fairly, while simultaneously providing excellent litigation experience for the law students involved.

Of particular interest to those interested in evidentiary problems and the

fundamental rules of natural justice in an administrative context, the Clinic recently defended a number of students who had been accused of cheating by a computer. Yes that's right, a professor here at McGill has developed a series of computer programs that claim to identify pairs of students that have cheated on multiple choice exams. They do this by «flagging» those answer-sheets that have an unusually high degree of similarity, and then calculating the odds of this occurring randomly. Through the intervention of the Legal Information Clinic, the charges were eventually dropped against all of these students because the reliability of these programs (not to mention their evidentiary value) has not yet been established.

Most of the cases defended by the law students of the Student Advocacy Program this year consisted of the more traditional matters of plagiarism and cheating (where no computers were involved), but even these provide substantial practical experience for the adviser. Indeed, among the tasks to be accomplished we find the initial interview of the client, the preparation of the argumentation (both written and oral), the presentation of before a truly quasi-judicial hearing, the examination and cross-examination of witnesses, and all of the strategic decisions that these elements entail. Law students participating in the Program are further rewarded by knowing that they have offered their expertise to people who really need it.

We would personally like to thank all of the members of this year's Student Advocacy Program (you know who you are) for their help, and we hope that just as many competent law students choose to devote their energies to this valuable project next year.

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goals we've set for ourselves. Hopefully, we do have some aspirations, and I don't mean the ones that get translated in terms of annual income.

Overall, there is some melancholy associated with this impending graduation. Isn't it a typical reaction for humans to feel nostalgic for things that we didn't even enjoy while they were happening? Compared to the uncertainty of the future, the past is bound to glow with fondly remembered moments.

However, I wouldn't be so cynical as to argue that there has been nothing, in these four years, worthy of some nostalgia.

Any endeavour's value ultimately lies in the emotional investment we were willing to make, and the extent to which we would give of ourselves to achieve something. For many people, this involvement took place in the non-academic life of the Faculty, by actively participating in events and projects that brought students together. Now that we must leave the Faculty, it is a bit like ending a difficult love affair: we have to give up a familiar kind of misery and hope that better things lie ahead. And like Holden Caulfield in The Catcher in the Rye, we'll end up missing everyone and everything we complained about for such a long time.

The X Generation Con't from p. 1

Law School. Remembering just a few of the charitable activities of this semester is the best way I can imagine to end my McGill writing career.

Skit Nite was a huge and record triumph (\$12 000 were approximately donated to the Old Brewery Mission and Chez Doris). «Trial by Jury» raised a handsome amount for the Law Library. The 2nd Annual Blue Dog Bash was a 2nd Annual success, all proceeds going

to «Share the Warmth», a charity for the homeless.

The off-campus party thrown by Solomon-Mercer-Weschler Inc. of BCL III for the Montréal Children's Hospital was a great time and a great fundraiser. Who could forget the Delta Theta Phi events, including «Win, Lose or Draw?». How many of us attended the Coffee House which regularly sponsored the best of causes?

Who put scrap paper in the new Blue Boxes or bought a red McGill coffee mug to help the environment? Who gave too much time to Legal Aid or participated in Nato Schipper's NCAA pool (10% to charity)?

I've named only a few of the ways in which McGill Law students have reached out. The best news is that we are not alone; this may truly be a generational movement. The American Council of Education reported recently that almost «43% of freshmen - described as a record high number - said it was essential to influence social values». In other words, we're speaking up and getting involved.

The arrival of a generation bound

together by a philanthropic commitment could have come at no better time. Governments are abdicating the responsibility they took on in the domain of social assistance because of their own administrative incompetence (e.g. «Federal government policies promote poverty», Globe & Mail, June 7, 1990). Not only will the debt compiled by our elders soon fall upon our shoulders, but so must the responsibility for grappling with rapidly increasing poverty, crime and helplessness.

My own feeling is that we are up to the task. Although our reasons for helping may be different and the magnitude of our service varied, I believe we've all grown up realizing that there is a higher calling than summer cottages and car phones. That calling is coming from the Metro beggars, the hungry school kids and the single mothers who can't afford day-care, let alone the G.S.T.

So, if you might need one, follow the example of the Law School's tireless Cool Monsoons, a band truly ahead of its time. They represent the generation called «X», our generation, where «X marks the spot» and where buried treasure can be found!

QUOTES OF THE WEEK:

Prof. Jutras in Obs. IIA:

«It does not make any sense to look to the intention of the legislature, because when you see who the legislature is, you don't really want to know what their intention is.»

Prof. Scott in Constitutional Law, discussing injunctions and remedies:

«If somebody grabs your apricots, what happens?»

Brian Fell to Prof. Jane Glenn outside Coffee House:

«As I have extremely limited interests in land, can I write a paper for you?»

Prof. Stevens, also at Coffee House:

«I never learned to whistle as a kid, because I just didn't understand the theory behind it.»

Greg Moore:

Res ipso non solum ad hominem ad nauseum de jure facto

Gale Cup Moot Report

by Prof. Ron Sklar

This year's Gale Cup team - Arnold Cohen, Jim Hughes, Richard Sanders and Jordan Waxman - had a thoroughly enlightening and excellent experience at the Gale Cup competition at Osgoode Hall (the courthouse, not the Law School) in Toronto on March 1st and 2nd, although they failed to reach «the final four» (Dalhousie, British Columbia, Manitoba and New Brunswick competed in the finals; the Ontario and Québec law schools, as you can see, were shut out). The team finished 1-1, defeating Osgoode Hall and losing to Dalhousie.

The defeat to Dalhousie was upsetting because the three-judge bench dwelt almost entirely on the merits of the case and our team, arguing for the respondent-accused in a confession/right to remain silent case, was on the «wrong side» on the merits as far as the bench was concerned. Consequently, Dalhousie was barely challenged by the bench and we were raked over.

Both the team and I felt that we lost to Dalhousie more «on the law» than on oral advocacy skills. Much of our frustration was relieved, however, when we saw Dalhousie argue in the finals (they came in second) and we realized that they were, indeed, a very strong team. The McGill victory over Osgoode, on the other hand, was solid and clear. McGill enjoyed a far more neutral bench in this second hearing and was thus really able to «show its stuff».

The conference was organized in fine fashion. The concluding dinner attended by the three Supreme Court justices who judged the final round (Justices Dickson, Cory and L'Heureux-Dubé) was particularly a first-class experience. All three justices spoke at the dinner, which

was really a tribute to the outgoing Chief-Justice. A special medal designed in his honour was presented to him.

The members of the Gale team want to thank all those who helped them out by either looking over the factums or judging them in practice, especially Professor Healy who did both. Others who share in receiving their thanks are Dean Morrisette, Professors Stevens and Kasirer, and Mr. Mark Steinberg.

Members of the team who plan to be in Montréal next year or still in the law school have pledged to help out in training next year's Gale Cup team; they want to win it all next year.

March Madness: But a Symptom

by Nick Katerinakis, BCL I

March madness has taken over the faculty. For the past two weekends, we have shunned friends, family and cohorts alike, opting instead to follow our favourite college basketball teams through the NCAA tournament. Many astute sport fans would consider the tournament to be the most spectacular annual sporting event in the world. Rather than bore you with a long account of the tournaments' merits or my partisan tastes (go Tarheels!!!), I have chosen instead to bring to your attention a very disturbing fact. March madness is but a symptom of a much greater phenomenon that affects many law students around the world. When choosing between dry reading and dynamic sporting events, property simply does not match up.

We were doomed before we even began the semester. In late January, many of us were shuttled to the Law Games at UWO to compete in a series of gruelling athletic competitions. We returned to Montréal just in time to watch the Superbowl. February was quite calm but then March hit us like a ton of bricks. College

basketball, the Tyson fight, the World Curling Championships, and our very own Montréal Machine. The pace accelerates in April with the NHL playoffs, the Expos home opener, and the Hollyfield title fight. Throw in some added disasters like a war and a plethora of good movies, not to mention weekly games with the law school's own «Jane's Memory» intramural basketball team, and the «academic» semester is a complete washout.

What is to be done? For those of you who are not yet convinced of the chronic nature of this problem, I offer yet another example. In the ten day period preceding both the Constitutional and Property finals, the Montréal Canadiens and Boston Bruins will have engaged in a bitter Adams division final. Gosh, what a tough call: Emphyteutic lease or Patrick Roy?

The solution I offer is clear and easy to apply. No school should be allowed in the January to May period. Move the semester to the June-September part of the year, where all that remains to tempt us is baseball. For those of you who have never been bitten by the sports bug, you can finally take that trip to Australia you have been promising yourself. Maybe you can take in some Australian Rules Rugby. For the rest of us «Sports Junkies», the change of schedule will mean less moral decision-making, improved grades and peace of mind. With the LSA election over, I too have my share of favours to call in, so don't rule this option out just as yet.

For the time being all we can do is sit back and enjoy all the fast paced action that awaits us. Forget the war; it was one-sided and dull. Forget the casebooks, you have all semester long. The real drama unfolds on the playing fields and courts of the world and on Monday night a tough choice awaits. The NCAA finals on CBS or the Montréal Machine at the Olympic Stadium? Fiduciary Substitution and Trethowan, on the other hand, can wait!

Quand la raison cède le pas à la passion

par Pierre Soulard, BCL I

Bien que nouvellement créé, le Bloc québécois occupe une place très importante sur l'échiquier politique canadien par les temps qui courent. De ce fait, son double objectif de défendre les intérêts du Québec à la Chambre des communes et de promouvoir son accession au statut d'État souverain devrait normalement permettre aux citoyens de penser qu'il véhicule des positions claires, précises et surtout nuancées au sujet des défis qui confrontent actuellement notre société. De plus, il n'est que logique de s'attendre à ce que ce groupe de parlementaires mette de l'avant des solutions pour venir à bout de ces problèmes. Or, dans la mesure où M. Benoît Tremblay est un représentant valable, il semble malheureusement que le Bloc québécois ne répond pas à cette logique élémentaire.

Invité à prendre la parole dans le cadre de la Semaine francophone organisée par McGill-Québec, le député Tremblay a fortement insisté sur le caractère non-partisan de son allocution. Si la chose peut sembler bizarre de la part d'un porte-parole d'un organisme qui déclare ouvertement être capable de capturer 60 circonscriptions au Québec lors des prochaines élections fédérales, la pauvreté du message ne tarde pas à nous faire comprendre le pourquoi d'une telle

exigence.

Débitant à tout va un lot de généralités sur les difficultés actuelles du Canada, le conférencier faisait beaucoup plus penser à un quelconque commentateur politique qu'à une personne croyant au bien-fondé de son option. En définitive, la seule chose dont M. Tremblay a su nous convaincre demeure le fait qu'il jette certainement un coup d'oeil fréquent aux pages financières des journaux.

Reste à savoir s'il comprend ce qu'il lit? Comment un homme le moins sérieux peut-il en effet prétendre que «...d'ici trois ou quatre ans, on va faire autant de commerce international qu'avec le Canada.» Sans enlever quoi que ce soit aux qualités de devin du député de Rosemont, nous persistons à croire qu'il sera difficile, dans un laps de temps si court, de renverser la tendance actuelle. En effet, pour l'année 1989, le Québec a exporté 31,1% de sa production manufacturière dans le reste du Canada tandis que seulement 22,4% de ces biens de consommation trouvaient preneur auprès de nos partenaires internationaux.

Il serait également possible de porter à l'attention de ce monsieur le fait que l'accord du lac Meech, qu'il trouve tellement insignifiant aujourd'hui, constituait la politique constitutionnelle officielle de son parti lors de son élection

à la Chambre des communes, sous l'étiquette conservatrice, le 21 novembre 1988. Point n'est besoin de rappeler que l'entente du lac Meech fut conclue durant l'été 1987. Nous voulons bien croire qu'il n'y a que les idiots qui ne changent pas d'idée. Permettez-nous cependant de souligner que les opportunistes sont particulièrement rapides à changer d'affiliation selon l'humeur du moment.

L'autopsie de cette causerie se résume à très peu de choses. Dans un premier temps, il importe d'envoyer un message clair au Canada anglais. Pour ce faire le Bloc québécois réclame des élections générales car Brian Mulroney n'a plus de crédibilité à ses yeux. En second lieu, la présence d'une forte délégation de députés souverainistes à Ottawa exercerait une forte pression sur le reste du Canada afin qu'il acquiesce aux demandes du Québec. Jusque là, nous ne pouvons que partager les grandes lignes de l'analyse.

Toutefois, les moyens proposés pour atteindre ce résultat nous semblent discutables. Se contenter de faire du surf sur des sondages favorables à sa cause revient à prendre les Québécois pour des moutons qui n'accordent aucune importance au message véhiculé. Espérons seulement que Lucien Bouchard puisse venir un jour rectifier les faits et redorer la réputation du Bloc québécois. Elle en a bien besoin, car le passage de Benoît Tremblay l'a passablement ternie.

A Year in the Life of the L.S.A./A.E.D.

by Bram Freedman
President, L.S.A./A.E.D.

One is always tempted in these types of final reports to trumpet one's accomplishments. I am no different, so forgive my indulgence. This past year, a group of dedicated and hard-working individuals set out to accomplish certain

things. The first item of business was to consolidate and solidify the L.S.A./A.E.D.'s internal machinery. While this may sound intensely bureaucratic and anal, it's purpose was to provide better and more efficient services to students. As such, the ad hoc nature of the Law Bookstore and the Skit Nite Committee was formalized and entrenched in the

Constitution. Further, our accounting procedures were tightened up so that every penny received and disbursed by the Association can now be accounted for. Clubs were funded, ambitious student-run conferences took place and the raising of money for charities was a constant this year. Further, the creation of the Clubs Room and the new and improved smokeless lounge were greeted with enthusiasm.

Con't on p. 9

LSA...

Con't from p. 8

From Orientation Week to Careers Day, to Law Games, to Trial by Jury, to Rockin for the Rainforest, to the Christmas Food Drive, to Skit Nite, students participated and made these events successful. As well, the L.S.A./A.E.D. was instrumental in the creation of a Canadian Bar Association Committee that was struck to examine the issue of student hiring and recruiting in the province. We played a leading role in C.A.D.E.D. (the Association of Québec law schools and Ottawa) and improved the image and participation McGill in this area.

The last group of activities that I would like to mention are probably the most important, at least in the long term. The student representatives on Faculty Council Committees did a fantastic job in spearheading many initiatives. The Curriculum Committee was especially active with several proposals with

respect to French language courses having passed Faculty Council. The students on the Admissions Committee began working last June on the proposal that would allow full student participation in the process. As I write this, the proposal is awaiting the approval of a closed session of the Faculty (i.e. without the student representatives). As well, the system for granting honours standing was modified to more accurately reflect the achievements of our students.

I would like, at this juncture, to extend a word of sincere thanks to all those who volunteered their time, whether it was pouring beer, translating documents, typing up revised appendixes to the Constitution, collecting money, selling tickets, making announcements in class or any one of the hundred other tasks that are done every year by students for little reward or recognition. You may have noticed that it is often the same people who do everything. That is because they

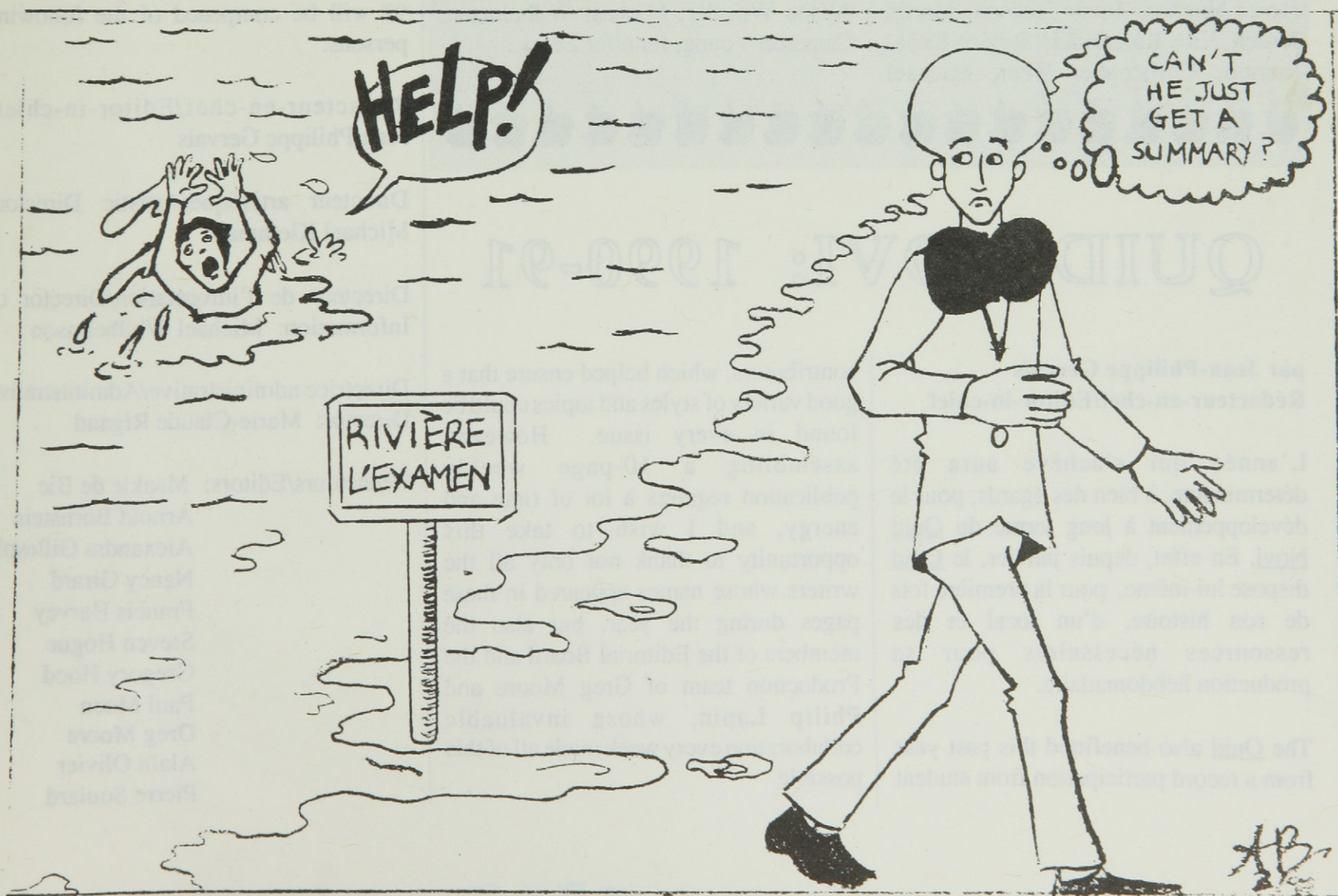
care enough to try and make the experience at law school better for everybody. As Gary Bell, a recent graduate of the Faculty, wrote a couple of years ago, it's «*toujours les mêmes*» who devote an endless number of hours to Faculty life. To those who made the effort, thank you on behalf of the students of the Faculty.

Finally, I would like to thank the Dean as well as his Office (not the furniture but the people in it: Marie-Hélène Di Lauro, Linda Coughlin and Heather Eliot) for all of their help and support for student endeavours. Lastly, special thanks to this year's Executive: Greg David, André Beaulieu, Marie Lussier, Julie Godin, Pat Kosseim and Robert Fabes. We discussed, we argued and we shouted, but we accomplished much.

That's it, that's all! Good luck to all and thank you for having given me the opportunity to be your President.

The Pits

By Arnold Bornstein, LLB III





MERCI / THANK YOU:

Juli Abouchar, Susan Abramovitch, Marc-Antoine Adam, Patricia Armstrong, James Austin, Fraser Baird, Julie Beauchemin, André Beaulieu, Maryse Beaulieu, Drew Berman, Olivier Boyer, Jonathan Burnham, Arnold Bornstein, Eric Buzzetti, Colin Chang, Stuart Chelin, Susan Clarke, Brett Code, Martine Cohen, Leigh David Crestohl, Michelle Cumyn, Seth Dalfen, Gregory David, Maakie de Bie, Philippe De Grandpré, Dagmar Dlab, Chloé Eboc-Osuji, Stéphane Éthier, Robert Fabes, Brian Fell, Viresh Fernando, Joshua Fireman, Robert Frank, Bram Freedman, Hélène Gagnon, Graham Gardner, Sean Gaudet, Brian Gelfand, Jean-Philippe Gervais, Julie Godin, Marie-Claude Goulet, Jennifer Griffith, William Grossman, Francis Harvey, Brian Haynes, Tom Heintzman, Kirsten Hillman, Rosemary Hnatiuk, Steven Hogue, Gregory Hood, Hanson Hosein, James Hughes, Tracy Jackson, Martin Jensen, Nick Katerinakis, Regina Kaye-Russell, Christopher Kent, Michael

Kleinman, Judy Knight, Lori Knowles, Rick Kuzyk, Philip Lapin, Pierre Larouche, Hélène Leblanc, Tom Nkwela Likambale, Andrew Lister, Marie Lussier, Zino Macaluso, Kevin MacNeill, Véronique Malka, Alissa Malkin, Michelle Marsellus, Dino Mazzone jr., Anne-Marie Migneault, Gregory Moore, David Morgan, Karine Morin, Kelly Mulcair, Jeffrey Nadler, Catherine Newcombe, Angelo Noce, Colleen O'Brien, James O'Brien, Alain Olivier, Johanne Poirier, Teresa Regan, Marie-Claude Rigaud, Richard Rosensweig, Egeya Ndyinanse Sangmuah, Geneviève Saumier, Jean Schere, Hélène Schneider, Pierre Soulard, Mark Steinberg, Denis Stevens, Erica Stone, Corina Stonebanks, Alain Strati, Frank Tamburro, Diana Torrens, Garth Wallbridge, Nan Wang, Anne-Marie Waters, Jordan Waxman, Ruth-Claire Weintraub, Todd Wetmore, Alison Wheeler, Michael Wilhelmson, Cameron Young, Jennifer Zercy.



QUID NOVI: 1990-91

par Jean-Philippe Gervais
Rédacteur-en-chef/Editor-in-chief

L'année qui s'achève aura été déterminante, à bien des égards, pour le développement à long terme du Quid Novi. En effet, depuis janvier, le Quid dispose lui-même, pour la première fois de son histoire, d'un local et des ressources nécessaires pour sa production hebdomadaire.

The Quid also benefitted this past year from a record participation from student

contributors, which helped ensure that a good variety of styles and topics could be found in every issue. However, assembling a 10-page weekly publication requires a lot of time and energy, and I wish to take this opportunity to thank not only all the writers whose names appeared in these pages during the year, but also the members of the Editorial Board and the Production team of Greg Moore and Philip Lapin, whose invaluable collaboration every week made all of this possible.

Nous nous étions fixés en début d'année l'objectif de ne publier que des textes inédits provenant d'étudiants de la faculté. Cet objectif a, je crois, été largement atteint, et je suis donc confiant que l'expérience de cette année permettra au Quid de franchir l'an prochain une nouvelle étape dans son processus de maturation.

A student newspaper like the Quid must always seek to reflect and contribute to the social and academic life of the Faculty, while at the same time serving as an outlet for students' creativity. Looking back on past issues, I strongly believe that we did manage to attain this goal, but at the same time, I also hope that we can still do better next year.

Je tiens donc à remercier sincèrement tous les gens qui ont collaboré d'une façon ou d'une autre à la production du Quid tout au long de l'année, et j'en profite pour vous présenter l'équipe éditoriale pour 1991-92, qui sera formée des personnes suivantes. The Editorial Board for 1991-92 will be composed of the following persons:

Rédacteur-en-chef/Editor-in-chief:
Jean-Philippe Gervais

Directeur artistique/Artistic Director:
Michael Kleinman

Directeur de l'information/Director of Information: Michael Wilhelmson

Directrice administrative/Administrative Director: Marie-Claude Rigaud

Rédacteurs/Editors: Maakie de Bie
Arnold Bornstein
Alexandra Gillespie
Nancy Girard
Francis Harvey
Steven Hogue
Gregory Hood
Paul Moen
Greg Moore
Alain Olivier
Pierre Soulard